

Effective 5/12/2015

77-23d-103 Use of imaging surveillance device -- Warrant required -- Exceptions.

- (1) Except as provided in Subsection (2), a government entity may not operate an imaging surveillance device without a search warrant issued upon probable cause.
- (2) A government entity may operate an imaging surveillance device without a search warrant:
 - (a) for testing equipment or training if the testing or training:
 - (i) is not conducted as part of an investigation or law enforcement activity; and
 - (ii) is conducted with the knowledge and consent of:
 - (A) each individual who is imaged; and
 - (B) an owner of each property that is imaged;
 - (b) in exigent circumstances; or
 - (c) in fresh pursuit of a person suspected of committing a felony.

Enacted by Chapter 447, 2015 General Session